

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CRAIG M. WALKER, On Behalf of the Clifford Chance :  
US LLP 401(k) Plan, and All Other Plans Similarly :  
Situating, :  
:

Plaintiff,

- vs. -

MERRILL LYNCH & CO. INC., BANK OF AMERICA :  
CORPORATION, MERRILL LYNCH BANK & TRUST :  
FSB, CAPITAL STRATEGIES INVESTMENT GROUP :  
:

Defendants.

No. 1:15-cv-01959 (PGG)

**NOTICE BY DEFENDANTS**

**BANK OF AMERICA CORPORATION AND BANK OF AMERICA, N.A.  
OF THEIR MOTION TO DISMISS THE AMENDED CLASS ACTION COMPLAINT  
OR, IN THE ALTERNATIVE, TO STRIKE CLASS ALLEGATIONS**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law,  
Defendants Bank of America Corporation and Bank of America, N.A. will move this Court,  
before the Honorable Paul Gardephe, United States District Judge, at the United States  
Courthouse for the Southern District of New York, 40 Foley Square, New York, New York  
10007, at a time to be determined by the Court, for an Order, pursuant to Federal Rule of Civil  
Procedure 12(b)(6), dismissing the claims against Defendants with prejudice, or, in the  
alternative, striking the class allegations pursuant to Federal Rule of Civil Procedure 23(d)(1)(D),  
and awarding any other appropriate relief.

Dated: July 28, 2016

Respectfully submitted,

SIDLEY AUSTIN LLP

By: /s/ Andrew W. Stern

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N.A. (successor by merger to Merrill Lynch  
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